

REMARKS/ARGUMENTS

Applicants have received the Decision on Appeal dated August 29, 2008, in which the Board: 1) reversed the rejection of claims 5-11 under 35 U.S.C. § 102(e) as being anticipated by Schneider, U.S. Patent No. 6,178,505; 2) rejected claims 5-11 under 35 U.S.C. § 101 as being directed to non-statutory subject matter; and 3) rejected claim 11 under 35 U.S.C. § 112, ¶ 2 as being indefinite. With this response, claims 5-11 have been amended. Claims 1-4 and 12-13 have been cancelled. Based upon the amendments contained herein, Applicants believe all claims are in condition for allowance.

Independent claim 5 has been amended to recite “A system providing a computer security service . . . comprising, a computer system that executes security service software components” Support for the amendment can be found at least at page 3, lines 5-6, page 16, lines 10-15, page 21, line 26 to page 22, line 1, page 29, lines 6-8, and Figures 1 and 4. Applicants respectfully submit that “a computer system that executes software components” in conjunction with the recited “policy builder” and “administration” components constitutes subject matter clearly falling within the statutory categories defined by § 101.

Claims 6-10, which depend from independent claim 1, have likewise been amended to recite “The system of claim”

For at least these reasons, Applicants respectfully submit that amended claims 5-10 are in condition for allowance.

Claim 11 has been amended to recite “a computer usable medium having computer readable program code embodied in said medium.” Thus, the “program code means” alleged by the Board (Decision page 6) to lack a corresponding structure in the specification has been deleted. Removal of the means plus function language obviates the need to identify in the specification structure corresponding to said means.

Furthermore, claim 11 is directed to “a computer useable medium having computer readable program code.” A “computer readable medium encoded with a computer program is a computer element which defines structural and

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functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory." MPEP 2106.01.

For at least these reasons, Appellants respectfully submit that amended claim 11 is both definite and directed to statutory subject matter, and thus is in condition for allowance.

Applicants respectfully request reconsideration and that a timely Notice of Allowance be issued in this case. It is believed that no fees are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional fees are necessary to allow consideration of this paper, any fees required are hereby authorized to be charged to Hewlett-Packard Development Company's Deposit Account No. 08-2025.

Respectfully submitted,

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